

REMARKS

This Amendment is submitted in response to the Office Action dated 3 October 2005, the time to respond being until 3 December 2005. Reconsideration and allowance of this application are respectfully requested. Claims 1-7 and 9 are amended and claims 8 and 10-11 are canceled. Thus claims 1-7, 9 and 12-19 remain pending in the application.

The Examiner objected to claims 1-19 under 35 USC 112 because the expression "the LCD support panel" lacked antecedent. All occurrences have been amended for consistency to recite a "flat panel LCD display support panel" to eliminate any antecedent basis problems. The Examiner also objected to claims 1-19 as lacking sufficient structural elements to support the functional recitations. Applicant has amended the claims in light of the 102/103 rejections (following) with this in mind to add sufficient structural support.

The Examiner rejected claims 1, 3, 4, 5, 8 and 12 under 35 U.S.C. 102(b) as being clearly anticipated by the Price et al. patent (5,199,773), and further rejected claims 2, 6, 9, 10, 11 and 13 under 35 USC 103 as being obvious over Price. Price '773 discloses a work station having a flip-open top cover that is pushed open when an undercarriage pushes a CRT against it and into viewing position. Movement of an underdesk keyboard frees the undercarriage to push the CRT against the cover and through the opening so that it can be viewed by an operator. By way of contrast, the present invention differs fundamentally in that it is designed for a *flat panel* LCD, and is designed to maximize leg space by mounting the flat panel LCD directly on the flip-open top cover (note the encroachment of the Price et al. '773 device on leg space). The fundamental difference in design goals changes the entire structure of the flip-open assembly, specifically: 1) the present assembly stores the flat panel LCD horizontally above the knees supported

completely by the flip-open top cover so that there is no encroachment on leg space (consequently there is no undercarriage needed in the knee space); 2) in mounting the flat panel LCD *on* the flip-open cover, the cover is counter-balanced by the weight of the LCD, and is pushed in either direction by the keyboard tray to a zero-gravity position, where it thereafter opens or closes by force of gravity and the weight of the LCD/cover subject to damping (see below) as it opens/closes to protect the LCD (this counter-balanced configuration makes opening and closing much easier); and 3) damping at opening/closing is accomplished by lever-arm damped by a pneumatic pressure-cylinder, and a link that coupled to a roller carriage in which the keyboard tray resides. Thus, the LCD support panel is lever-pulled open (or lever-pushed closed) with very little force past the zero-gravity point, whereupon gravity takes over and the pneumatic cylinder engages to damp the opening/closing. The damped lever-action *automatically and gently* rotates the flat panel LCD to a viewable position in front of a user, or to a flush closed position. This mechanism is not at all possible with a CRT due to the bulk and offset center of gravity relative to the flip-open cover.

Claim 1 is amended to recite the structure of the lever mechanism in much more detail to distinguish Price et al., and to add the damping mechanism. Specifically, claim 1 now recites that the “support panel [is] adapted for mounting and supporting a flat panel LCD *directly thereon*” (c.f. Prices undercarriage), that the keyboard tray is mounted on “a pair of extensible roller guide brackets on each side...for slidable mounting under said work surface” and that the lever mechanism further includes “*at least one arm* coupled at one end to a side of said flat panel LCD support panel and protruding outward there from, *and at least one link* coupled between another end of said arm and said extensible roller carriage coupled between said input device platform and said support panel for automatically moving said flat panel LCD display support

panel open and to an upright position upon extension of said input device platform, and for automatically moving said flat panel LCD display support panel to a closed position upon retraction of said input device platform". Moreover, claim 1 now additionally includes the "damping mechanism".

Price et al. use their top cover only as a lid over the CRT while the present device uses the top cover as a support structure...a major difference that drives the unique supporting structure described above. Moreoever, Price et al. have no damping mechanism (note that the gas-spring 80 is for motive force, e.g. pushing the CRT into place), nor any manually actuated lever mechanism including at least one arm and one link¹ (The movement of Price's support shelf 24 unlocks the undercarriage permitting the gas-spring 80 to push the CRT monitor support 60 on rollers 76 over the guide rails 40, 42, 48 and 50), and the CRT is not attached directly to the flip-open cover, all as required by the presently amended claims. Indeed, while outward movement of the undercarriage and CRT (under force of gas-spring 80) may be easy, the user must then "reload" the CRT and support 60 by pushing it down against the force of the spring 80. This is much more cumbersome than mounting the flat panel LCD on the flip-open cover in a counter-balanced configuration, requiring a slight lever-pull open or lever-push closed past a zero-gravity point, and thereafter allowing gravity to over subject to the pneumatic cylinder to automatically and gently effect full opening/closing. These differences are now reflected in the above-described amendments to Claim 1 which recite the structure of the lever mechanism in more detail and distinguish the spring-loaded undercarriage of Price et al. Consequently, claim 1 is thought to be patentably distinguished. Dependent claims 2-7 and 9 are likewise

¹ Claim 1 is amended to recite "at least one arm" and "at least one link" because is possible (but not preferred) to replicate the function with one lever mechanism on only one side, not necessarily two on opposing sides.

distinguished, and claims 8 and 10-11 have been canceled.

With specific regard to the Examiner's obviousness rationale, he implies that any keyboard tray, roller bracket, lever mechanism and damping arrangement would be considered "well known and commercially available." This belittles the two-year development effort that went into the present invention, and it is respectfully hoped that the foregoing amendments and rationale therefore have given the Examiner an understanding of the design issues that Applicants overcame. In order to establish *prima facie* obviousness of the claimed invention, it is necessary to explain specifically how all the claim limitations are taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1970). In the present case they are not, especially in view of the amendments, and it is inappropriate to cite judicial notice to bridge the gap.

The Examiner also rejected claims 14-19 (drawn to the conference table setup) as obvious over the Price et al. patent in combination with Lechman (Des 438,401). The Lechman 'D401 patent shows a plurality of connected workstations each having an underdesk computer display (CRT submerged under worksurface behind glass). The Examiner reasons that it would have been obvious to include a plurality of workstations in the desk of Price et al. Neither Price nor Lechman teach a conference table, and indeed in Lechman the CRTs do not articulate at all. The Examiner is improperly piecing together non-analogous features found in separate prior art references where there is no suggestion or motivation to combine them. See *In re Kamm and Young*, 17 USPQ 298, affd. Notwithstanding the foregoing, similar amendments are herein made to claim 14 to make it consistent with claim 1, and thus claims 14-17 should now be distinguished.

Applicant acknowledges and appreciates the Examiner's indication that claim 7 (mercury

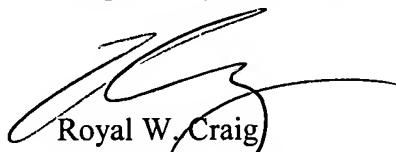
switch) would be allowable if amended to make it dependent, but this is thought unnecessary in light of the foregoing amendments to claim 1.

New claim 20 is added to specifically reflect the counterbalanced configuration described above where the LCD support panel gets a gravity-assist closure into the flush position subject to the opposing force of the damping cylinder. This is supported in the published specification at page 3, column 2, para 35 (“when the support panel is in the position shown in FIG. 3, whereupon gravity would act to return the panel to the closed position of FIG. 2”). In contrast, Price et al. must “reload” their CRT and support 60 by pushing it down against the force of the spring 80, much more cumbersome than the recited counter-balanced configuration. These differences are well reflected in new claim 20.

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In view of the above amendments and remarks, it is believed that this application is now in the proper condition, and a Notice of Allowance is respectfully requested.

Respectfully submitted,



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